

PTO E JC98
JUL 18 2002
PATENT & TRADEMARK OFFICE

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See the American Inventors Protection Act of 1999 (AIPA).

| | |
|-----------------------|---------------------------|
| Application Number | 09/536,618 ✓ |
| Filing Date | March 28, 2000 |
| First Named Inventor | Toyokazu FUJII, et al. |
| Group Art Unit | 2814 |
| Examiner Name | H. PHAM |
| Attorney/Agent Number | 13880-029 |

RCE
#11
Wheeler
7-24-02

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application

NOTE: 37 C.F.R. § is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other (Petition For Extension of Time)

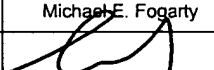
2. **Miscellaneous**

- a. ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.1.03(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 500417.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) \$740.00
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|---|-----------------------------------|---------------|
| Name (Print/Type) | Michael E. Fogarty | Registration No. (Attorney/Agent) | 36,139 |
| Signature |  | Date | July 18, 2002 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Parents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|------------------|--|------|--|
| Name(Print/Type) | | Date | |
| Signature | | | |

07/19/2002 CNGUYEN 00000140 500417 09536618

01 FC:179 740.00 CH

Docket No.: 43889-929



PATENT

ACE-12814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

: Response Under 37 CFR 1.116 - Expedited Procedure

Toyokazu FUJII, et al.

Serial No.: 09/536,618

: Group Art Unit: 2814

Filed: March 28, 2000

: Examiner: H. PHAM

For: SEMICONDUCTOR DEVICE AND PROCESS FOR FABRICATION OF THE SAME

Box AF
THE COMMISSIONER FOR PATENTS AND TRADEMARKS
Washington, DC 20231

RECEIVED
JUL 22 2002
TECHNOLOGY CENTER 2800

Dear Sir:

Transmitted herewith is an Amendment in the above identified application.



No additional fee is required.



Applicant is entitled to small entity status under 37 CFR 1.27



Also attached: Petition For Extension of Time

The fee has been calculated as shown below:

| | NO. OF CLAIMS | HIGHEST PREVIOUSLY PAID FOR | EXTRA CLAIMS | RATE | FEE |
|-----------------------------------|------------------|-----------------------------------|-----------------|-----------|----------|
| Total Claims | 9 | 20 | 0 | \$18.00 = | \$0.00 |
| Independent Claims | 1 | 1 | 0 | \$84.00 = | \$0.00 |
| Multiple claims newly presented | | | | | \$0.00 |
| Fee for extension of time | | | | | \$110.00 |
| Request For Continued Examination | | | | | \$740.00 |
| Total of Above Calculations | | | | | \$850.00 |



Please charge my Deposit Account No. 500417 in the amount of \$850.00. An additional copy of this transmittal sheet is submitted herewith.



The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

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